

STATE OF MAINE  
York, ss

SUPERIOR COURT  
Civil Action  
Docket No. ALFSC-CV-2020-167

DOMINGUS NOBREGA,  
Plaintiff

V.

YORK COUNTY and YORK COUNTY  
SHERIFF,  
Defendants

[illegible]

## ANSWER AND AFFIRMATIVE DEFENSES OF DEFENDANTS

YORK COUNTY SUPERIOR  
OCT 2 '20 AM 10:12

NOW COME Defendants York County and York County Sheriff, by and through undersigned counsel, and hereby respond to the allegations contained in Plaintiff's Complaint as follows:

## AFFIRMATIVE DEFENSES

- A. Plaintiff's Complaint fails to state a cause of action upon which relief may be granted.
- B. Plaintiff has not suffered any compensable damages resulting from the claims alleged in Plaintiff's Complaint.
- C. Plaintiff's damages, if any, were directly and proximately caused by the acts and/or omissions of an individual and/or entity other than these Defendants.
- D. Plaintiff's damages, if any, were directly and proximately caused by a legally sufficient superseding/intervening cause.
- E. Plaintiff has failed to mitigate his damages as required by law.
- F. Defendants are entitled to immunity, including all immunities available under the Maine Tort Claims Act and qualified immunity.

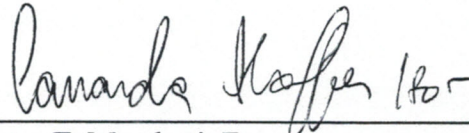
G. Plaintiff's claims are barred by provisions of the Prison Litigation Reform Act, including but not limited to 42 U.S.C. § 1997e(a) and/or 42 U.S.C. § 1997e(a).

ANSWER

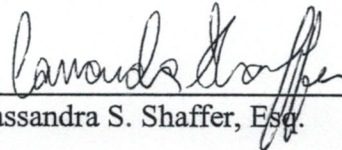
1. The Defendants deny each and every averment set forth in Plaintiff's Complaint.<sup>1</sup>

WHEREFORE, Defendants pray for judgment in their favor against Plaintiff plus costs, interest, and attorneys fees.

Dated: October 1, 2020



Peter T. Marchesi, Esq.



Cassandra S. Shaffer, Esq.  
Wheeler & Arey, P.A.  
Attorneys for Defendants  
27 Temple Street  
Waterville, ME 04901

---

<sup>1</sup>In that Plaintiff's Complaint does not contain numbered paragraphs, Defendants can only provide a general denial.